

**DECLARATION AND POWER OF ATTORNEY FOR  
PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**FEMORAL INTRAMEDULLARY ROD SYSTEM**

the specification of which: (check one)

XX is attached hereto.  
  
\_\_\_\_\_ was filed on \_\_\_\_\_  
under Attorney's Docket Number \_\_\_\_\_  
as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>09/619,189</u>	<u>July 19, 2000</u>	<u>pending</u>
Application	Filing Date	Status

which is a divisional of and claims priority of:

<u>6,221,074</u>	<u>April 24, 2001</u>	<u>Issued</u>
Patent Number	Issue Date	Status

POWER OF ATTORNEY: As the named inventors, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Theodore Barody	Reg. No. 45,417	Michael J. Balconi-Lamica	Reg. No. 34,291
Jeffrey M. Becker	Reg. No. 35,442	J. Andy Lowes	Reg. No. 40,706
James R. Bell	Reg. No. 26,528	Todd Mattingly	Reg. No. 40,298
L. Howard Chen	Reg. No. 46,615	David L. McCombs	Reg. No. 32,271
Randall E. Colson	Reg. No. 40,566	John W. Montgomery	Reg. No. 31,124
Michael A. Davis, Jr.	Reg. No. 35,488	Bill R. Naifeh	Reg. No. 44,962
Ruben C. DeLeon	Reg. No. 37,812	David M. O'Dell	Reg. No. 42,044
Brian J. Hubbard	Reg. No. 45,873	Phillip B. Philbin	Reg. No. 35,979
Rita M. Irani	Reg. No. 31,028	Brandi W. Sarfatis	Reg. No. 37,713
Mark P. Kahler	Reg. No. 29,178	Patrick McBride	Reg. No. 39,295
Warren B. Kice	Reg. No. 22,732		
Christopher P. Kosh	Reg. No. 42,760		

Send correspondence to J. Andrew Lowes, Haynes and Boone, LLP,, 901 Main Street, Suite 3100 Dallas, Texas 75202-3789 and direct all telephone calls to J. Andrew Lowes at 214/651-5627.

FULL NAME OF FIRST INVENTOR: J. Dean Cole

INVENTOR'S SIGNATURE: \_\_\_\_\_ DATED: \_\_\_\_\_

RESIDENCE: 1931 Albion Road, Orlando, Florida 32804

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 1118 South Orange Avenue, Suite 205, Orlando, Florida 32806